

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK

PASTOR DONALD HAVRILLA))	
MARIE ANTOINETTE FAVILLA,))	
JAMES R. BOYD IV, JOSEPH J. COLLINS,))	
RICHARD A. MORABITO,))	
and PATRICK IMPELLI,))	
)	Index No. CV 12 6085 (JFB) (ARL)
Plaintiffs,))	
)	
v.))	
TOWN OF SOUTHAMPTON, ROBERT))	
PEARCE in His Official Capacity as))	
SOUTHAMPTON TOWN Chief of Police,))	
ANNA THRONE-HOLST in Her Official Capacity))	
as SOUTHAMPTON TOWN Supervisor,))	LONG ISLAND OFFICE
INCORPORATED VILLAGE OF))	
SOUTHAMPTON, MARK EPLEY in His Official))	
Capacity as VILLAGE OF SOUTHAMPTON))	
Mayor, and THOMAS M. CUMMINGS in His))	
Official Capacity as SOUTHAMPTON VILLAGE))	
Chief of POLICE,))	
)	
Defendants.))	
)	

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ JAN 24 2013 ★

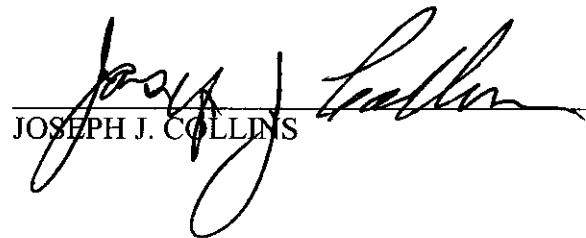
AFFIDAVIT OF JOSEPH J. COLLINS

1. I, Joseph J. Collins, am one of the above-named Plaintiffs, am 72 years old, and I reside in Southampton.
2. On February 1, 2013, I wanted to appear with a small group of people at the Southampton Town Hall, where I desire to peacefully communicate my message that marriage is between one man and one woman, using small signs and in any willing face to face conversations with any of the local public coming to the Town Hall for business in their government building, as well as to

anyone else my message may reach by virtue of me standing with the group on those steps and front sidewalk.

3. In light of everything that happened to me on July 26, 2011 at the Town Hall and with the way things are now with the “bias free zone” sign and all, I have anxiety about my rights there, I no longer have any confidence about whether or not the police will threaten to arrest us again when we next show up there. Because of what the police did that day, even though I’m confused now about what the Town’s policy is and I fear that I might once again get threatened with arrest, I have to show up nonetheless because I can’t let them get away with violating our rights.

4. Because of all that has happened there at the Town Hall, on February 1, 2013 I feel I must openly stand there in front of the Town Hall and operate a movie camera that day in order to ensure that the other members of my group don’t get their First Amendment rights violated. I believe that back in July of 2012, we were only permitted to stand on the steps because of the precautions we took to openly film the event. This is why, on February 1, 2013, I believe that I must give up my first amendment right to publicly share my beliefs and instead run a video movie camera in order to ensure that the other members can get a chance to exercise their rights this time, just as James Boyd did back on July 25, 2012, when he was one of the video camera operators and therefore could not stand with us. I’m ready to give up my First Amendment rights for one day if it will help safeguard those rights for the rest of the group members with whom I stood in 2011 and 2012.

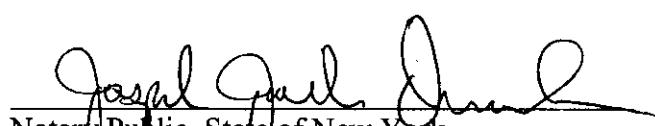


JOSEPH J. COLLINS

ss:

Subscribed and sworn to before me this 24st day of January, 2013.

Signature of Notary Public



Notary Public, State of New York

My commission expires on

JOSEPH JOHN ORLANDO
Notary Public, State of New York
No. 01OR6258967, Suffolk County
Commission Expires March 26, 2014